

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>TOD CURTIS, individually and as beneficiary,</b>	)	
<b>FIRST UNITED TRUST COMPANY, as</b>	)	
<b>Trustee under Trust No. 10510, and ELTO</b>	)	
<b>RESTAURANT INC., an Illinois corporation,</b>	)	
	)	
	Plaintiffs,	)
	)	
<b>v.</b>	)	<b>No. 08 cv 03527</b>
	)	
<b>IRVANA K. WILKS, Village of Mount</b>	)	<b>Judge Guzman</b>
<b>Prospect Mayor and Local Liquor Control</b>	)	
<b>Commissioner, MICHAEL E. JANONIS,</b>	)	<b>Magistrate Nolan</b>
<b>Village of Mount Prospect Manager,</b>	)	
<b>WILLIAM COONEY, Village of Mount</b>	)	
<b>Prospect Economic Director, WILLIAM</b>	)	
<b>SCHROEDER, Village of Mount Prospect</b>	)	
<b>Building Commissioner, ROBERT ROELS,</b>	)	
<b>Village of Mount Prospect Environmental</b>	)	
<b>Health Manager, FRANK KRUPA, Village of</b>	)	
<b>Mount Prospect Environmental Health</b>	)	
<b>Inspector, OZ DEVELOPMENT, LLC, and the</b>	)	
<b>VILLAGE OF MOUNT PROSPECT,</b>	)	
	)	
	Defendants.	)

**NOTICE OF FILING**

To: Lance C. Malina	John J. Foley
Klein, Thorpe and Jenkins, Ltd.	Maurides & Foley, L.L.C.
20 North Wacker Drive	2 North LaSalle Street
Suite 1660	Suite 1800
Chicago, Illinois 60606	Chicago, Illinois 60602

**PLEASE TAKE NOTICE** that on Monday, August 18, 2008, we electronically filed with the Clerk of the U.S. District Court for the Northern District of Illinois, Eastern Division, the attached *Response in Opposition to Certain Defendants' Motion Requesting That the Court Abstain From Exercising Jurisdiction Over the Complaint*, a copy of which is attached hereto and served upon you.

Dated: August 18, 2008

Respectfully submitted,

**TOD CURTIS, FIRST UNITED TRUST CO.,  
and ELTO RESTAURANT CORPORATION**

By: s/ Theodore J. Koerth  
One of Their Attorneys

William M. McErlean  
David T. Ballard  
Theodore J. Koerth  
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**CERTIFICATE OF SERVICE**

I, Theodore J. Koerth, an attorney, do hereby certify that I caused copies of the attached *Response in Opposition to Certain Defendants' Motion Requesting That the Court Abstain From Exercising Jurisdiction Over the Complaint* to be electronically filed with the Clerk of the Court and served on the following using the CM/ECF system on August 18, 2008:

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s/ Theodore J. Koerth